

Introduced by Senator Perata

February 18, 2004

An act to amend Sections 11007, 11047, and 11102 of the Elections Code, relating to elections.

LEGISLATIVE COUNSEL'S DIGEST

SB 1326, as introduced, Perata. Recall elections.

Existing law prohibits recall proceedings against an officer of a city, county, special district, school district, community college district, or county board of education if the officer has not held office during his or her current term for more than 90 days, if a recall election has been determined in the officer's favor within the previous 6 months, or if the officer's term of office ends within 6 months.

This bill would extend these recall prohibitions to state officers.

Existing law requires that a recall petition that is circulated in more than one county bear the name of the county in which it is circulated.

This bill would require that the petition instead bear the name of the county for which it is circulated.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 11007 of the Elections Code is amended
- 2 to read:
- 3 11007. Except when a person has been appointed to office
- 4 pursuant to Section 10229 because no person had been nominated
- 5 to office, proceedings may not be commenced against *an officer*
- 6 *of the state or* an officer of a city, county, special district, school



1 district, community college district, or county board of education
2 in the event of one or more of any of the following:

3 (a) ~~He or she~~ *The officer* has not held office during his *or her*
4 current term for more than 90 days.

5 (b) A recall election has been determined in his or her favor
6 within the last six months.

7 (c) His or her term of office ends within six months ~~or less~~.

8 SEC. 2. Section 11047 of the Elections Code is amended to
9 read:

10 11047. When a petition is circulated in more than one county
11 for the recall of an officer, each section of the petition shall bear
12 the name of the county ~~in~~ *for* which it is circulated, and only
13 registered voters of that county may sign that section.

14 SEC. 3. Section 11102 of the Elections Code is amended to
15 read:

16 11102. Each section of a recall petition shall be filed with the
17 elections official of the county ~~in~~ *for* which it was circulated.

